

**LIMITED SOURCES JUSTIFICATION**

**ORDER >\$3,000**

**FAR PART 8.405-6**

**2237 Transaction # or Vista Equipment Transaction #: 578-13-4-969-0812**

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

**Restricted to the following source:** Provide original manufacturer's name for material or contractor's name for service. (If a sole source manufacturer distributes via dealers, ALSO provide dealer information.)

Manufacturer/Contractor: Pentax of America, Inc

Manufacturer/Contractor POC & phone number: Jill Hall 800-431-5880 x2124

Mfgr/Contractor Address: 3 Paragon Dr, Montvale, NJ 07645-1856

Dealer/Rep address/phone number: SAME AS ABOVE

☐ The requested material or service represents the minimum requirements of the Government.

**(1) AGENCY AND-CONTRACTING ACTIVITY:**

Department of Veterans Affairs

Great Lakes Acquisition Center

115 South 84<sup>th</sup> Street, Milwaukee, WI 53214

NCO: 12

**(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:**

This is a limited source justification for the purchase of Pentax Endoscopic Ultrasound system for the Edward Hines VA Hospital.

**(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:**

<u>Item No.</u>	<u>Part Number</u>	<u>Description</u>	<u>QTY</u>	<u>UNIT</u>
1	EC-3490LI	HD Video Colonoscope, High Def; 3.2mm Channel; 11.6mm Tube Diameter	1	EA
2	EC-3890LI	HD Video Colonoscope, High Def; 3.8mm Channel; 13.2mm Tube Diameter	1	EA

3	EG-2990I	HD Video Gastroscope; High Def; 2.8mm Channel; 9.8mm Tube Diameter	1	EA
4	EG-3870UTK	Endoscopic Ultrasound Video Gastroscope, Linear Array; 3.8mm Channel; 12.8mm Tube Diameter	2	EA
5	EG-3670URL	Endoscopic Ultrasound Video Gastroscope, Radial Array; 2.4mm Channel; 12.1mm Tube Diameter	1	EA
6	NDS32HD	National Display 32" Radiance HD Monitor	1	EA

(b) ESTIMATED DOLLAR VALUE: \$251,422.86

(c) REQUIRED DELIVERY DATE: 30 days ARO

**(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE.**

☒ Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources.

Pentax of America, Inc is the sole manufacturer and distributor of the above mentioned endoscopic ultrasound system and scopes.

☐ A patent, copyright or proprietary data limits competition. The proprietary data is: (If FAR 8.405-6(a)(2)iii before posting. Do not include specific proprietary data. Only mention the type of equipment, procedure, etc. to show that proprietary supplies or services are being procured.)

☐ These are "direct replacements" parts/components for existing equipment.

☒ The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system.

Hines is requesting sole source to Pentax, due to its compatibility with existing Pentax equipment, including gastroscope, colonoscope, a \$65,000 radial array endoscope and other components totaling \$230,000.00. The Pentax equipment is not compatible with other brand's equipment.

☐ The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply

Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.

☐ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

**(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:**

Hines is requesting sole source to Pentax, due to its compatibility with existing Pentax equipment, including gastroscope, colonoscope, a \$65,000 radial array endoscope and other components totaling \$230,000.00. The Pentax equipment is not compatible with other brand's equipment. Market research indicates that the requested sole source endoscopic ultrasound system is available through a NAC contract with Pentax of America, Inc.

This is in the best value of the Government, because purchasing a system of a different brand would essentially require the procurement of additional scopes and components. New scopes cost approximately \$65,000 - \$85,000, in addition to the functionally equivalent components in the amount of \$230,000, to be acquired through this procurement. Furthermore, it is clearly more cost effective to purchase the main system for existing scopes, than to start the process over, maintain two different systems and require training for two different systems. This in turn, allows staff to be better attentive to patient care.

Price is determined to be fair and reasonable in accordance with FAR 8.404(d). FSS contracts are determined to be fair and reasonable at the time of award of the base contract.

**(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:**

Market research indicated that these items can be procured through the mandatory NAC contract: V797P-4389A.

**(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:**

NA

**(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:**

Pentax confirmed that there are no distributors for these items. It is recommended that Pentax be contacted regarding potential distributors during future procurement processes.

(9) **REQUIREMENTS CERTIFICATION:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*

Anisa Postell 9-12-13  
SIGNATURE DATE  
Anisa Postell Program Specialist Medicine Service Line  
NAME TITLE SERVICE LINE/SECTION  
Edward Hines VA Hospital  
FACILITY

(10) **APPROVALS IN ACCORDANCE WITH FAR 8.405-6(d):**

a. **CONTRACTING OFFICER'S CERTIFICATION (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

[Signature] 9/13/13  
CONTRACTING OFFICER'S SIGNATURE DATE  
Danad Mahaffey Contracting Officer  
NAME AND TITLE NCO 12

c. **NCM/PCM/DESIGNEE:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Christine Hansen 9/16/2013  
SIGNATURE DATE  
CHRISTINE HANSEN  
NETWORK CONTRACT MANAGER  
NCO 12, GREAT LAKES ACQUISITION CENTER